

The Magistrate Judge filed the Report on September 16, 2010, and Defendants filed their objections to the Report on September 30, 2010. The Clerk of Court entered Plaintiff's response to Defendants' objections on October 13, 2010. The Court has reviewed Defendants' objections and finds them to be without merit. It is of the opinion, however, that Plaintiff should be allowed to amend his Complaint. Therefore, the Court will enter judgment accordingly.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Defendants' objections, adopts the Report to the extent that it is consistent with this Order, and incorporates it herein. Therefore, it is the judgment of this Court that Defendants' motion to dismiss be **DENIED** and that Plaintiff's motion to amend be **GRANTED**.

IT IS SO ORDERED.

Signed this 3rd day of November, 2010, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within 30 days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.